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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/764,923	01/26/2004	Victor A. Quattrini	639-011497-US (PAR)	9635
2512	7590	08/22/2006	EXAMINER	
PERMAN & GREEN 425 POST ROAD FAIRFIELD, CT 06824			HAGEMAN, MARK	
			ART UNIT	PAPER NUMBER
			3653	
DATE MAILED: 08/22/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/764,923	QUATTRINI ET AL.	
	Examiner	Art Unit	
	Mark Hageman	3653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☒ Claim(s) 3 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 3 is objected to because of the following informalities:

-The claim should conclude with a period, which has been omitted.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 6, 8, and 10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

-Regarding claim 6- the claim recites, "by completing the geometry of the canister necessary to make said tubular receptacles approximate a simple tube."

"Completing the geometry" and "approximate a simple tube" are indefinite as it is not possible to determine what criteria are necessary to fulfill the limitations. Does the cover of claim 6 when paired with the coin dispenser form a complete tube with a solid curved surface? Or is it only necessary to increase the curved surface area and if so by what amount?

-Regarding claim 10- the claim recites, "and hold said canister at an angle to the vertical."

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"An angle to the vertical" is indefinite as it not possible to determine what angle is intended by the claim as written. An angle of 0 or 180 degrees would be "an angle to the vertical" that happens to be vertical. A further limitation or definition is necessary.

3. Claim 8 recites the limitation "said front cover" in line 3 of claim 8. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-7 and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by US 2004/0102148 to Perkitny et al.

-Regarding claim 1- Perkitny discloses, a device for manually loading coins in a coin canister of a coin dispenser, said canister having a series of tubular receptacles (36) for holding a stack of coins, said device comprising:

a stand (32) constructed to receive said coin canister and secure the coin canister in a loading position;

a funnel (68) having a body portion and a spout portion mounted for sliding movement on said coin canister for alignment with one of said series of tubular receptacles, said funnel body having an opening (para 0059 lines 2-4) to allow the insertion of coins and an internal coin passage constructed to provide a flow path for the coins to pass into said coin canister receptacles in a metered flow through an exit (160) constructed in said spout.

-Regarding claim 2- Perkitny discloses, a device for manually loading coins, according to claim 1, wherein the funnel is mounted above a manifold (64), said manifold constructed to releasably engage the coin canister, said manifold having a series of tubular passages (152a-152e) for alignment with said series of tubular receptacles of said coin canister; and

wherein said funnel is moved above said manifold for alignment with one of said series of tubular passages to form a continuous passage into said tubular receptacles of said coin canister. (funnel 68 is capable of movement figure 1B and para 0042 lines 9-11, see MPEP 2114).

-Regarding claim 3- Perkitny discloses, a device for manually loading coins, according to claim 2, wherein said funnel is constructed with an exit opening of a size sufficient to accommodate the largest coin of a particular set of coins (160 and para 0059 line3) and each of said tubular passages of said manifold are

constructed with an upper opening (142-148) of a common size with said funnel exit and a lower opening (152a-152e) having a coin specific diameter in common with the tubular receptacle with which it is aligned (para 0055 lines 7-10).

-Regarding claim 4- Perkitny discloses, a device for manually loading coins, according to claim 1, wherein said funnel further comprises:

a ramp (216) extending transverse to the coin passage to divide said coin passage into an upper stage and a lower stage to elongate the path by which the coins pass through the funnel, thereby encouraging a metered flow of coins through the funnel (para 0069 lines 3-5).

-Regarding claim 5- Perkitny discloses, a device for manually loading coins, according to claim 1, wherein the stand is constructed having features (32) which engage the tubular receptacles of the canister to square off said tubular receptacles and assist the seating of the coins as they are loaded therein.

-Regarding claim 6- Perkitny discloses, a device for manually loading coins, according to claim 1, further comprising a front cover (40) that engages said canister to provides a guide surface for falling coins by completing the geometry of the canister necessary to make said tubular receptacles approximate a simple tube.

-Regarding claim 7- Perkitny discloses, a device for manually loading coins, according to claim 2, wherein the funnel is mounted on a collar (20) and said collar is mounted on said coin loader above said manifold for sliding movement, said collar being constructed with an opening therein to receive said spout of said funnel.

-Regarding claim 10- Perkitny discloses, a device for manually loading coins, according to claim 1, wherein said stand is constructed to receive the canister and hold said canister at an angle to the vertical (30, 32, 34, 36 in figure 1A).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Perkitny in view of US 2002/0043958 to Yamaguchi et al.

Perkitny discloses all the limitations of the claim except, brackets constructed to receive said coin loading device for storage. Yamaguchi teaches brackets (7) constructed to receive said coin loading device for storage, such that "holder 1... can be retained in the operative position stably" (para 0069 lines 4-5).

It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to have modified the stand of Perkitny to include the brackets taught by Yamaguchi for the purpose of retaining the coin loading device, in a position stably.

Allowable Subject Matter

8. Claim 8 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Hageman whose telephone number is (571) 272-3027. The examiner can normally be reached on M-F 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Mackey can be reached on (571) 272-6916. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MCH



PATRICK MACKEY
PRIMARY EXAMINER